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1c970 U.S. PTO

1c962 U.S. PTO
09/770753
01/25/01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. Rev 96-9 div 1

Most Immediate Prior application: 9/268,159

Examiner: Williamson

Art Unit: 1615

**Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231**

FILING OF CONTINUATION APPLICATION UNDER 37 CFR 1.53(b)(1)

This is a request for filing a

☒ Continuation

☐ Divisional

application under 37 CFR 1.53(b), of pending prior application

serial no. 09/268,159, filed March 15, 1999; which is a divisional of serial no. 08/883,671, filed June 27, 1997.

(date)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on: January 23, 2001

John R. [Signature]

of Teanoosh Moaddel, William Joseph Radice, Barbara Ann Wolf, and Bernadette Guthauser
(inventor)(s)

for: **COMPOSITIONS CONTAINING STABILIZED ASCORBIC ACID AND
RELATED METHODS**

(title of invention)

1. Copy of Prior Application as Filed Which is Attached

☒ I hereby verify that the attached papers are a true copy of what is shown in my records to be the
above identified prior application, including the oath or declaration originally filed.

The copy of the papers of prior application as filed which are attached are as follows:

- ☒ 48 page(s) of specification
☒ 5 page(s) of claims
☒ 1 page(s) of abstract
☐ 0 sheet(s) of drawing
☒ 2 pages of declaration and power of attorney

☒ my records reflect that the original
signed declaration showing applicant's signature
was filed on **December 15, 1997**

☐ the amendment referred to in the declaration filed to complete the prior application's
signature was filed on _____

2. Amendments

☒ Cancel in this application original claims 1-30 of the prior application before calculating the filing
fee.

☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered **original** claim in the prior application.)

3. Petition for Suspension of Prosecution for the Time

Necessary to File an Amendment.

☐ There is provided herewith a Petition To Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently).

4. Fee Calculation (37 CFR 1.16)

CLAIMS AS FILED					
Number filed		Number Extra		Rate	Basic Fee
					710.00
Total					
Claims	20	20 - 20 =	X	\$22.00	000.00
Independent					
Claims (37 CFR 1 16(b))		3 - 3 =	X		
Multiple dependent claim(s), if any					
(37 CFR 1 16(d))	0		X		
Total Filing Fee				\$	710.00

☐ Fee for extra claims is not being paid at this time
(37 CFR 1.16(d))

5. Small Entity Status

☐ A verified statement that this filing is by a small entity:
☐ is attached
☐ has been filed in the parent application and such status is still proper and desired (37 CFR 1.28(a))

Filing Fee Calculation (50% of above) \$____

6. Drawings

WARNING: Do not check the following box if prior case is not to be abandoned.

☐ Transfer the drawings from the prior application to this application and, subject to item 17 below, abandon said prior application as of the filing date accorded this application. A duplicate copy of this request is enclosed for filing in the prior application file.

☐ Transfer the following sheet(s) of drawing from the prior application to this application _____

☐ A copy of the amendment cancelling these sheets of drawing in the prior application is attached

☐ New drawings are enclosed

☐ formal

☐ informal

7. Priority – 35 U.S.C. 119

☐ Priority of application serial no _____ filed on _____ in _____ is claimed under 35 U.S.C. 119

☐ The certified copy has been filed in prior U.S. application serial no 0 / _____ on _____

☐ The certified copy will follow.

8. Related Back – 35 U.S.C. 120

☒ Amend the specification by inserting before the first line the sentence:

"This is a

☒ continuation

☐ divisional

of copending application(s)

☒ serial no. 09/268,159, filed March 15, 1999; which is a divisional of serial no. 08/883,671, filed June 27, 1997.

☐ International Application _____ filed
on _____ and which designated the U.S.

9. Inventorship Statement

- (a) With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120 the inventor(s) in this application is (are):

(complete applicable item below)

☒ the same

☐ less than those named in the prior application and
it is requested that the following inventor(s) in
this application is (are):

(b) The inventorship for all the claims in this application are

☐ the same

☐ not the same, and an explanation, including the
ownership of the various claims at the time the
last claimed invention was made, is submitted.

10. Assignment

☒ The prior application is assigned of record to

Revlon Consumer Products Corporation,
625 Madison Avenue
New York, NY 10022

☐ an assignment of the invention to _____

is attached

11. Fee Payment Being Made At This Time

☐ Not Enclosed

☐ No filing fee is submitted. (This and the
surcharge required by 37 CFR 1.16(e) can be paid
subsequently)

☒ Enclosed

☒ basic filing fee \$ 710.00

☐ recording assignment
(\$8.00; 37 CFR 1.21(h)) \$

☐ processing and retention fee
(\$120.00; 37 CFR 1.53(d) and 1.21(l)) \$

Total fees enclosed \$ 710.00

12. Method of Payment of Fees

☐ enclosed is a check in the amount of \$

☒ charge Account No. 18-1065 in the amount of
\$ 710.00

A duplicate of this request is attached

13. Authorization To Charge Additional Fees

☒ The Commissioner is hereby authorized to charge the following additional fees which
may be required by this paper and during the entire pendency of the application to
Account No. 18-1065

☒ 37 CFR 1.16(a), (f) or (g) (filing fees)

☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra
claims)

☒ 37 CFR 1.17 (application processing fees)

☐ 37 CFR 1.18 (issue fee at or before mailing Notice
of Allowance, pursuant to 37 CFR 1.311(b))

14. Power of Attorney

- a. ☒ The power of attorney appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☐ A new power has been executed and is attached.
- d. ☒ Address all future communications to
Julie Blackburn, Esq. -
Revlon Consumer Products Corporation, Law Dept.
625 Madison Avenue,
New York, N Y 10022 (Reg. No. 32,370)

15. Maintenance of Copendency of Prior Application

- ☐ A petition, fee and response has been filed to extend the term in the pending prior
- ☐ A **copy** of the petition for extension of time in the prior application is attached.

16. Conditional Petition for Extension of Time in Prior Application

- ☐ a conditional petition for extension of time is being filed in the pending parent application

[] a **copy** of the conditional petition for extension
of time in the prior application is attached.

Julie Blackburn Reg. No. 32370

Type or print name of person signing

1/23/01

Date

Julie B

Signature

Revlon Consumer Products Corporation,
625 Madison Avenue
New York, NY 10022
(212) 527-5531

[X] Person authorized to sign on behalf
of assignee

[X] Attorney or agent of record

[] Filed under Rule 34(a)

164855

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Moaddel, et al.

Serial No. 09/268,159

Filed: March 13, 1999

For: COMPOSITIONS CONTAINING
ASCORBIC ACID AND RELATED
METHODS

Examiner: Williamson

Art Unit: 1616

X

Assistant Commissioner for Patents
Washington D.C. 20231

NOTIFICATION OF FILING OF CONTINUING, DIVISIONAL, OR CONTINUED
PROSECUTION APPLICATION

Dear Sir:

Notification is hereby being made of the filing of a:

xx Continuation

— Continuation-In-Part

— Divisional

— Continued Prosecution

application for this case

xx concurrently herewith

— on _____.

Respectfully Submitted,



Julie Blackburn

Attorney for Applicants

Reg. No. 32370

Revlon Consumer Products Corporation

625 Madison Avenue

New York, New York 10022

(212) 527-5531

CERTIFICATE OF MAILING

I hereby certify that on the date show below this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

on: Jan 23, 2001



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